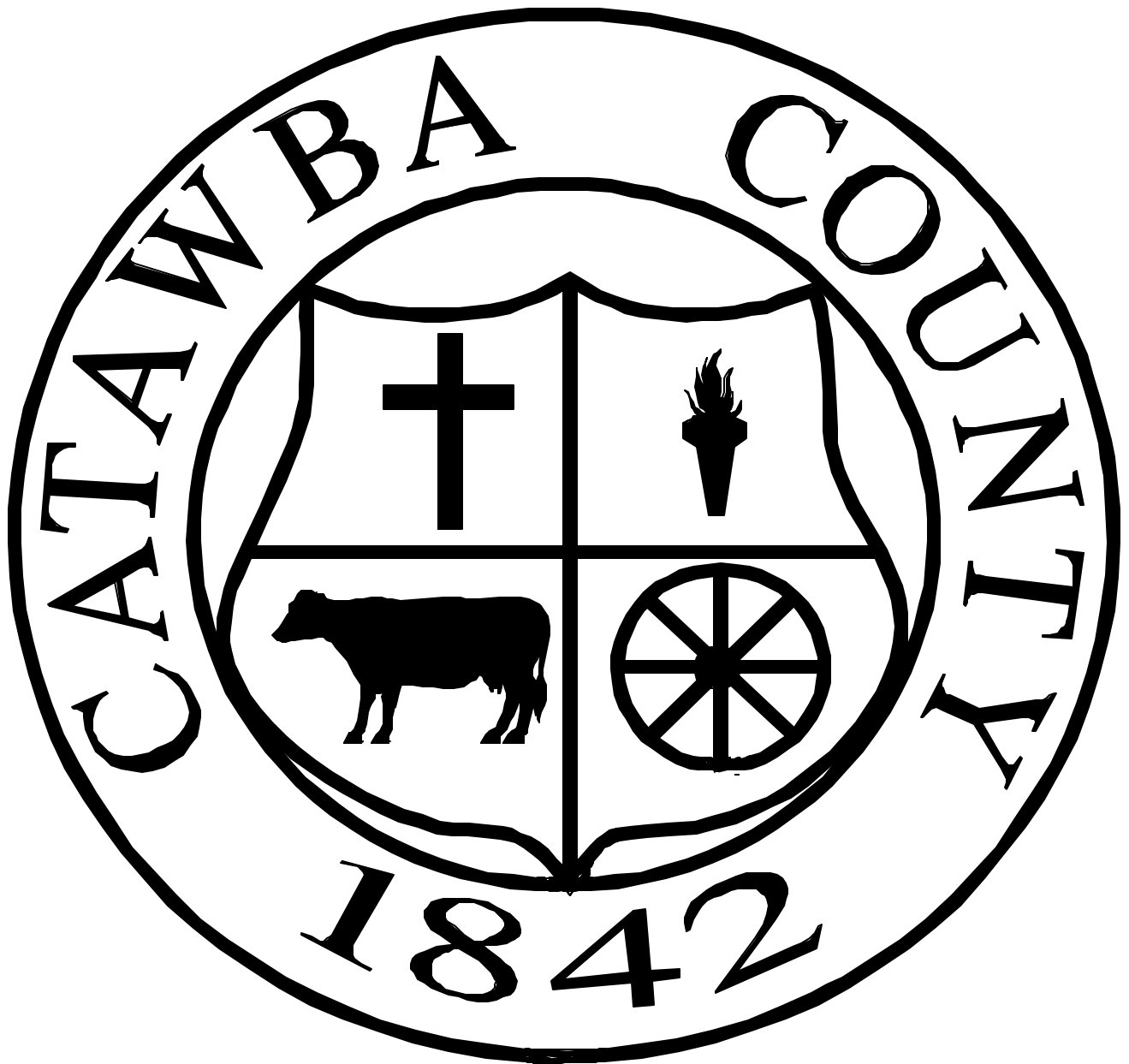


Chapter 44, Article XV - SIGNS



Current as of 7/01/2003

ARTICLE XV. SIGNS*

***Cross references:** Signs in manufactured home parks, § 26-98.

Sec. 44-946. Intent.

It is the intent of this article to regulate the number, size, and location of signs in all zoning districts. This article expressly exempts from control all church signs. This article is designed, among other purposes, to stabilize and protect property values, maintain the visual attractiveness of the county, and promote public safety.

(Code 1995, § 513.01)

Sec. 44-947. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Banner means any sign made of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags; state, county or municipal flags; or the official flag of any institution or business shall not be considered a banner.

Flag means any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of any government, institution, business or other entity.

Limited access sign means a sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing within 500 feet of an entrance to a limited access highway. Such sign is designed to be seen from the limited access highway, but does not generally front along the limited access highway.

Off-premises directional sign means an off-premises sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing upon a lot in which the use cannot be seen from a collector or arterial street.

Off-premises sign means a sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered, or existing elsewhere than upon the same lot where such sign is displayed. The term "off-premises sign" includes an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.

On-premises sign means a sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered or existing on the same lot where such sign is displayed.

Pennant means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Portable sign means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported.

Sign means any structure designed to inform or attract the attention of persons not on the premises on which the device is located. This definition specifically exempts church signs. Regarding surface area computations:

- (1) The surface area of a sign is computed as including the entire area within a parallelogram, triangle, circle, semicircle or other regular geometric figure, including all of the elements of the display, but not including blank making (a plain strip, bearing no advertising matter around the edge of the sign), frames, display of identification or licensing officially required by any governmental body, or structural elements outside the sign surface and bearing no advertising matter. For signs mounted back to back or angled away from each other, the surface area of each sign is to be computed. For cylindrical signs, signs in the shape of cubes, or other signs which are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces is included in computations of area.
- (2) For embellishments (display portions of signs extending outside the general display area), surface area extending outside the general display area and bearing advertising material is to be computed separately as part of the total surface area of the sign. See the following diagrams on number and area of signs.

Signs, number of. For the purpose of determining the number of signs, a sign is to be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without an organized relationship of units, where strings of lights are used, or where there is a reasonable doubt about relationships of elements, each element of light is considered to be a single sign. Where single surfaces are intended to be read from different directions (as for back-to-back signs or those angled from each other), each surface is considered to be a single sign. See the following diagrams on number and area of signs.

(Code 1995, § 513.02)

Cross references: Definitions generally, § 1-2.

One sign with border



One sign without border



One sign - separate letters



One sign with embellishments



One sign - Area measured as a circle



One sign - Area measured as a triangle



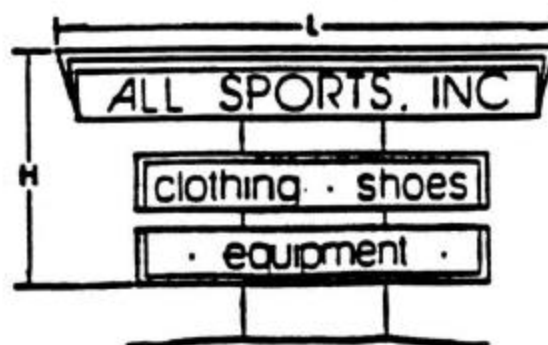
One sign - Area measured as a rectangle



Two signs - Advertising separate facilities/units not related



One sign - Units all related/not random display



Time/temperature Signs

One sign - Area does not include time/temperature

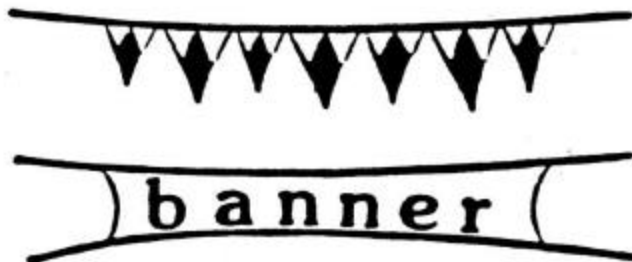
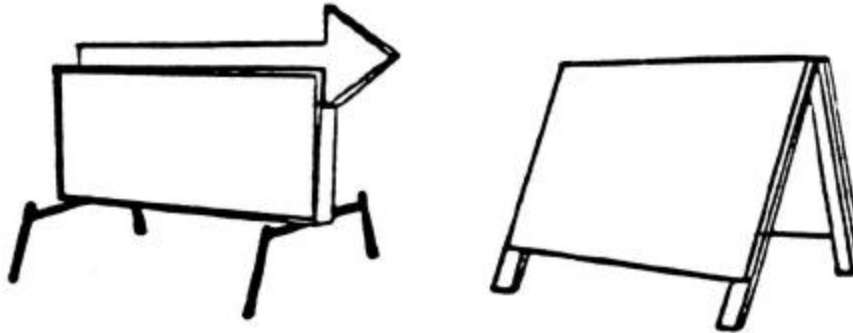


Awning Signs

One sign - Area includes symbols and letters



Portable Signs



Sec. 44-948. Applicability; exceptions.

All signs and sign structures visible from public rights-of-way shall be erected, maintained, and operated in accordance with this article and other relevant controls, unless specifically excepted. Signs not subject to this article are listed in section 44-949. (Code 1995, § 513.03)

Sec. 44-949. Exemptions.

The following signs are not subject to the control of this article:

- (1) Church signs.
- (2) Signs not exceeding two square feet in area, not of a commercial nature, and bearing only property identification numbers and names; post office box numbers; and names of occupants of the premises.
- (3) Legal notices, identification and informational signs and traffic directional signs erected by or on behalf of a governmental body.
- (4) Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights.
- (5) Signs directing and guiding traffic on private property, but which bear no advertising matter and do not exceed four square feet in area.
- (6) Insignia of nonprofit charitable organizations.
- (7) Signs such as banners, flags, and pennants made of lightweight fabric, plastic or similar materials, whether or not containing a message of any kind.

(Code 1995, § 513.04)

Sec. 44-950. Traffic safety precautions.

The following practices in relation to signs are prohibited, notwithstanding any other sections in this article, in order to preserve the safety of pedestrian and vehicular movement:

- (1) No sign shall be erected so that any part of it intrudes into the sight preservation triangle established by section 44-121.
- (2) No sign shall use such word as "stop," "slow," "caution," "danger" or similar language which may be confused with traffic directional signs erected by governmental agencies.
- (3) No sign shall be erected so as to, by its location, color, nature or message, permit it to be confused with or obstruct the view of traffic signals or would tend to be confused with the warning lights of an emergency or public safety vehicle.
- (4) No sign shall contain pulsating, rotating, or flashing lights, except those showing time and temperature information.

(Code 1995, § 513.05)

Sec. 44-951. Prohibited locations.

- (a) Except where specifically exempted by this article, all signs shall be located outside of required yards and public rights-of-way.
 - (b) No sign shall be attached to any utility pole, tree, rock or other material object.
- (Code 1995, § 513.06)

Sec. 44-952. Direct illumination.

No source of illumination on a sign, such as floodlights, spotlights, unshielded bulbs, and the like, shall shine directly into any public right-of-way or any adjacent residential property.

(Code 1995, § 513.07)

Sec. 44-953. Permits; standards generally; maintenance.

The following apply to signs regulated by this article:

- (1) *Zoning compliance permit required.* Before any sign shall be erected or structurally altered, a zoning compliance permit shall be obtained, except for those signs specifically exempted from such a requirement, as provided in section 44-38. If actual work for the permitted sign, on the site, is not commenced within six months from the date of such sign permit, the permit shall automatically become null and void.
- (2) *Construction standards.* All signs shall be constructed and installed in accordance with the applicable provisions of the state building code.
- (3) *Electrical standards.* All illuminated signs shall be installed in accordance with the applicable provisions of the state building code.
- (4) *Maintenance.* All signs and sign structures shall be maintained in good structural and aesthetic condition. Deficiencies, such as but not limited to chipped paint, broken plastic, missing letters, disfigured surfaces, and partial illumination, shall be evidence of a lack of maintenance.

(Code 1995, § 513.08)

Sec. 44-954. Nonconformities.

All signs not in conformity with this chapter shall be altered to comply with this chapter or removed within one year of the notice of nonconformity.

(Code 1995, § 513.09)

Sec. 44-955. Temporary signs.

The following temporary, unlighted signs may be erected in the manner prescribed without the issuance of a zoning compliance permit:

- (1) Real estate signs as follows:
 - a. For lots of less than one acre, a single sign on each street frontage may be erected. It shall not exceed six square feet in area; shall observe a front setback of ten feet; shall contain the message that

the property is for sale, lease or rent and the name, address and phone number of the agent. The sign shall be removed immediately upon the sale, option or lease of the property.

- b. For lots of one acre or more in area, such signs may be up to 32 square feet in area.
 - (2) A single construction site identification sign shall be permitted. It shall not exceed 64 square feet in area; shall be located at least ten feet from the front property line; and may contain in its message identification of the project and its owner and/or developer, architect, engineer, land planner, landscape architect, contractor and subcontractors. The sign shall only be displayed for the duration of the project.
 - (3) Signs erected for not more than 14 days announcing openings, closings, and management changes.
 - (4) Signs erected for not more than 14 days announcing a noncommercial and off-premises civic or philanthropic event.
- (Code 1995, § 513.10)

Sec. 44-956. On-premises signs.

On-premises signs shall be allowed as follows:

- (1) All signs shall comply with section 44-121.
 - (2) The maximum number of on-premises signs on a zoning lot is one.
 - (3) A single consolidated sign, of unified design and construction, shall be required when more than one use is located on a single lot.
 - (4) All on-premises signs shall observe the maximum permitted sign area requirements of section 44-957.
 - (5) A single on-premises sign is permitted on each additional street front on multiple frontage lots, provided it is separated from any other on-premises sign by 150 feet and is located a minimum of 100 feet from any residential district.
 - (6) All parts of the sign and sign structure must be located outside all rights-of-way. The applicant for any sign permit shall be responsible for obtaining right-of-way information.
 - (7) All on-premises signs shall observe the maximum permitted sign area requirements of section 44-957.
 - (8) The maximum sign height shall be 35 feet or 35 feet above the elevation of the pavement adjacent to the sign, whichever is higher.
- (Code 1995, § 513.11)

Sec. 44-957. Schedule of maximum permitted on-premises signs by zoning district.

The schedule of maximum permitted on-premises signs by zoning district is as follows:

District	Maximum Area (sq. ft.)	Illuminated
R-1	16	No
R-2	16	No
R-3	16	No
O-I	2% of area of building front	Yes
C-1	2 per linear foot of building front up to a maximum of 200	Yes
C-2	2 per linear foot of building front up to a maximum of 200	Yes
C-3	2 per linear foot of building front up to a maximum of 200	Yes
E-1	2 per linear foot of building front up to a maximum of 200	Yes
E-2	2 per linear foot of building front up to a maximum of 200	Yes
Subdivision	32	Yes
Nonconforming uses	32	Yes

(Code 1995, § 513.12)

Sec. 44-958. Portable signs.

Unless specifically exempted under section 44-949, portable signs shall be classified for regulation as: on-premises signs, off-premises signs, off-premises directional signs, or limited access signs and shall be subject to the conditions applicable to such signs.

(Code 1995, § 513.13)

Ordinance No. 2003-17

BE IT ORDAINED that the Catawba County Code of Ordinances, Chapter 44, Zoning, Article XV. SIGNS, Section 44-959, Off-premises signs, is hereby amended to read as follows:

Sec. 44-959. Off-premise signs.

The following apply to off-premise signs:

- (1) The maximum permitted area shall be 380 square feet per face for signs abutting I-40 and Highway 16 north, and 250 square feet per face for all other signs.
- (2) The maximum sign height shall be 35 feet as measured from the top of the structure to the road level or ground, whichever is higher. The maximum sign height for signs fronting along limited access highways shall be 50 feet or 50 feet as measured from the top of the structure to the road level or ground, whichever is higher.
- (3) All components of the sign shall observe the yard requirements of the district within which they are located. However, if on the lot for which the permit has been applied or adjacent lots, signs have previously been erected which are uniformly beyond the required front yard line, then the sign shall not be closer to the front yard line than the pre-existing sign which is closest to that line.
- (4) Signs shall be separated from any structure on the same lot by a minimum of 50 feet.
- (5) Off-premise signs shall be permitted in C-2, E-1 and E-2 zoning districts only.
- (6) Off-premise signs are prohibited in the Highway 321 corridor on land zoned 321-ED. In addition, off-premise signs are prohibited along NC Hwy. 150, NC Hwy. 127, NC Hwy. 10, and NC Hwy. 16 within the jurisdiction of Catawba County.
- (7) Any sign shall be located a minimum of 400 feet from any park, school, or residentially zoned property, with this distance being measured from the nearest point of the sign to the nearest point of the property line of those uses stipulated above.
- (8) Roof-mounted signs are prohibited.
- (9) Signs shall be limited to one per lot. Back-to-back or V-shaped signs shall be permitted, provided the interior angle between signs does not exceed 15 degrees. Double stacked units are prohibited. For purposes of safety, only one message per face of sign shall be permitted.
- (10) The distance between off-premises signs shall be, for federal aid primary highways (I-40 and 16 north), 1,000 feet between signs on the same side of the right-of-way and 500 feet for signs on opposite sides of the right-of-way. The distance between off-premise signs, in all other circumstances,

shall be 1,000 feet, measured radially from the sign. The off-premises sign shall be a minimum of 500 feet from the use, product or service to which it refers.

- (11) Off-premise signs shall comply with section 44-121: Visibility of intersections.
- (12) The poster material of the off-premise sign shall be made of all-weather, fade-resistant material such as vinyl or similar synthetic material. For short-term advertisers (60-days or less), other material may be used subject to it being properly maintained to avoid separation and flagging from the billboard.
- (13) Lighting, if installed, shall be placed at the top of the sign and be directed such that the illumination is contained to the sign area of the off-premise sign. Flashing or strobe lights are prohibited.
- (14) No vegetation on public property, including the public right-of-way, shall be cut for the purpose of increasing or permitting visibility to the off-premise sign unless pre-approved by the governmental authority having jurisdiction, such as NCDOT.
- (15) A notarized letter from the property owner stating that a lease agreement has been executed with the billboard company shall accompany any application for a Zoning Compliance permit. In addition, a letter of intent from a prospective advertiser or advertising agency for the initial use of the sign board shall accompany any application for a Zoning Compliance permit.
- (16) The back of the sign and the structural pole shall be painted in an earth-tone color, which includes shades of gray and brown.
- (17) All new sign structures must be supported by a steel monopole.

This 15th day of September, 2003.

/s/ Katherine W. Barnes, Chair
Catawba County Board of Commissioners

Sec. 44-960. Off-premises directional signs.

A single off-premises directional sign is permitted under the following standards:

- (1) The principal use cannot be visible from a collector or arterial street and must be:
 - a. Located in an office-institutional, commercial, or industrial district;
 - b. A legal nonconforming use established prior to 1974; or
 - c. A properly permitted home occupation.
- (2) The sign shall not exceed 16 square feet for a single establishment nor 48 square feet for more than one establishment nor exceed six feet in height. Signs for permitted home occupations shall not exceed four square feet in area.

- (3) The sign shall be of unified design when more than one establishment displays a sign on the same zoning lot.
(Code 1995, § 513.15)

Sec. 44-961. Subdivision name markers.

The following apply to subdivision signs:

- (1) All costs will be the responsibility of the applicant.
 - (2) It shall be the responsibility of the applicant to maintain the marker or the area around the marker. The markers shall be removed, if not properly maintained, at no expense to the public.
 - (3) A maximum of two such markers shall be permitted for each entrance.
 - (4) If the sign is to be located within the right-of-way of any state system road, the applicant shall be responsible for obtaining the approval of the state division of highways.
 - (5) The sign shall not exceed 32 square feet in area.
 - (6) Illumination of the sign shall be permitted.
- (Code 1995, § 513.16)

Sec. 44-962. Political signs.

Nonilluminated political signs are permitted in the front yard. For further information, see the following definitions set forth in section 44-4: "yard," "yard, front," "yard, rear," "yard, side." The signs shall be removed two weeks after the election to which they pertain.
(Code 1995, § 513.17)

Sec. 44-963. Limited access user's signs.

For businesses located within 500 feet of the beginning of the limited access portions of I-40 and the intersection of an arterial street having access thereto, a single sign may be permitted as follows:

- (1) Maximum height is limited to 60 feet and a maximum area of 100 square feet.
- (2)
 - a. Notwithstanding subsection (1) of this section, the board of adjustment may allow a greater height, up to a maximum of 120 feet, in order to permit seven seconds of visibility of the sign prior to the beginning of the exit ramp for traffic traveling at the legal speed limit.
 - b. If the board allows additional height, the maximum sign size may be increased five square feet for each foot of allowed height above 60 feet.
- (3) Signs shall observe the yard requirements of the district within which they are located with the exception of the front setback. All parts of the sign and the sign structure must be out of the right-of-way.

- (4) Where a limited access highway user's sign is installed on a nonvacant lot, there can be an additional on-premises sign installed, if it is separated from the limited access highway user's sign by more than 500 feet.
(Code 1995, § 513.18)

Sec. 44-964. Violations.

Any person violating any section of this article shall be subject to all applicable enforcement, appeal, variance provisions of this chapter.
(Code 1995, § 513.98)

Sec. 44-965. Penalty.

Any person violating any section of this article for which no other penalty is set forth shall be subject to the penalty set forth in section 44-48.
(Code 1995, § 513.99)